

**CEMETERY TASK FORCE
MEETING MINUTES
1400 EAST WASHINGTON AVENUE, MADISON
FEBRUARY 19, 1999**

PRESENT: Kelly Coleman, William Downs, III, Dorinda Floyd, Marie Drescher, Leroy Mixon, Willa Jean Moore, Peter Gunderson, Thomas Hanlon, Ed Huck, Sarah Kamke, Daniel Kilkenny, E Glen Porter, III, Jon Ruatti, Laurel Schaftary and Michael Schuman

ABSENT: Leslie Eisenberg, Dewey Mathewson, Bill Smith, David Stucki, and Richard Stadelman

R&L STAFF: Secretary Marlene Cummings, Cletus Hansen, Jacquelynn Rothstein, Steven Gloe, Henry Sanders, Xiaodong Li and Gene Kleinert

GUESTS: Shawn Phillips (Burial Sites Preservation Program), Pete Christianson, George Petak, Otto Anderson

CALL TO ORDER

Clete Hansen called the meeting to order at 9:40 a.m.

APPROVAL OF AGENDA

The agenda were informally approved, with the understanding that the Chair would commence the discussion at #5f and go back to #5a-e, if time would permit.

APPROVAL OF MINUTES (1/8/99)

MOTION: Jon Ruatti moved, seconded by Pete Gunderson, to approve the minutes, as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

DISCUSSION OF POTENTIAL STATUTORY CHANGES

f. Abandoned Cemeteries

Discussion points.

Abandoned cemeteries should be taken over by the county in which they are located.

Abandoned cemeteries should be taken over by the state.

The Task Force reviewed the definition of “cemetery.” Clete Hansen referred the Task Force to the definition that was proposed by the Cemetery Advisory Committee. Hansen stated that this definition is similar to others which were contained in previous meeting packets and this definition (perhaps, with a word change here or there) would probably be used in the Department’s proposed statutory revisions

Several Task Force members urged the Department to include all cemeteries in the abandoned cemeteries program. Ed Huck suggested that there may be some money available from a local government insurance fund, and there may be some way of tapping into that fund. Other Task Force members argued for imposing an additional fee on death certificates. Pete Gunderson said that the abandoned cemetery program could be like the medical assistance program, which is funded by the state and administered by counties.

Task Force members searched for a definition of “abandoned cemetery.” Two primary elements were enumerated:

- a. Disrepair
- b. Records not available

Concern was expressed about what can be done with cemeteries that are close to abandonment. Cemeteries must be monitored, there must be recording standards, fines must be imposed, financial criteria must be established, sufficient funds must be maintained, and audits must be conducted.

Some Task Force members expressed support for a requirement for independent audits at the expense of the cemetery being audited.

Several Task Force members expressed support for mandatory continuing education for cemetery operators. The continuing education should focus on management and recordkeeping.

The Task Force agreed to a listing of the categories of cemeteries in Wisconsin:

- a. Religious
- b. Municipal
- c. For Profit
- d. Not For Profit (Chapter 181 non-profit corporations)
- e. Chapter 157 Cemetery Associations

Some Task Force members suggested that these categories should be further distinguished by size or level of activity.

Secretary Cummings asked whether it might be feasible to require a performance bond of all cemeteries. Several Task Force members stated that there are serious problems with performance bonds, such as the cost and the net worth required by the surety company.

Several Task Force members supported the Florida Task Force recommendations concerning the need to have some seed money in a state fund. Such money is needed to “resolve issues important to a community.”

Some Task Force members supported the concept that money for maintaining abandoned cemeteries must be available from the state; however, a local unit of government should receive the money and cares for the cemetery. One person suggested that the court should decide who takes over the abandoned cemetery. The person taking over a cemetery might well be a non-profit organization.

One Task Force member suggested a hybrid approach. Begin with the municipality taking over a cemetery and, if the circumstances require financial assistance, then provide it to the municipality.

Task Force Recommendations

MOTION: Ed Huck moved, seconded by Mike Schuman, to recommend that all cemeteries be required to have an independent audit every 2 years and to submit a copy of the audit report to the Department. Motion passed with 2 persons abstaining. (Kelly Coleman was not present for voting.)

Dan Kilkenny and Tom Hanlon voted no, but acknowledged that they were, effectively, abstaining, because they did not have enough information about how this motion and the follow two motion affected the types of cemeteries that they represent.

MOTION: Ed Huck moved, seconded by William Downs, III, to recommend that a standard for recordkeeping be established by the Department. Motion passed with 2 persons abstaining. (Kelly Coleman was not present for voting.)

MOTION: Dorinda Floyd moved, seconded by Ed Huck, to recommend that standards for maintenance of cemeteries be established, which are comparable to those in Florida’s statutes. Motion passed with 2 persons abstaining. (Kelly Coleman was not present for voting.)

NEXT MEETING

The next meeting will be April 23, 1999, from 9:30 a.m. until 12:30 p.m. Secretary Cummings stated that staff will prepare a draft of the recommended statutory changes before the next meeting.

ADJOURNMENT

MOTION: Sarah Kamke moved, seconded by Glenn Porter, to adjourned the meeting at 12:25 p.m. Motion carried unanimously.